

1901-051 Chancery Causes: Harvey Young vs. Joseph Peters, jr. &c
Lee Co.

Lawson, Stanley, Mosely, Gilliam, Hale, Terry, Collier, Terrell, 1 Plat
Edens

CA Estate Dispute
T-Property

To the Honorable H.A.W.Skeen, Judge of the Circuit Court for
Lee county, Virginia:

Humbly complaining, your orator, Harvey Young, a citizen of
said county, respectfully represents unto the court:

That Joseph Peters, late of the county of Lee, on or about
the _____ day of _____, 188____, departed this life
intestate, leaving seven children, to wit: Mary¹, wife of Henry E
Terry, Rutha², wife of W.J. Collier, Sarah¹³, wife of Wm R Ter-
rell, Nancy¹⁴, wife of John Lawson, Kissiah⁵, wife of _____
Stanley, Martha⁶, wife of _____ Edens, and Joseph⁷ Peters, Jr.,
and the following grand-children, the children of Henry M. Peters, a
son who died before his father, to wit: James¹, Samuel², Betty³, now
the wife of Jerry Mosely, Sarah Jane⁴, wife of _____ Hale,
Nancy C.⁵, wife of _____ Gilliam, Martha M.⁶, Letitia F.⁷,
Sarena⁸, Joseph⁹, Patrick¹⁰ and Robert¹¹ Peters, to whom his estate des-
cended.

The said Joseph Peters, Sr., at the time of his death was
seized and possessed of a tract of land, supposed to contain 88
acres, lying on the south side of Wallen's ridge, about 17 miles
east of the town of Jonesville, adjoining a tract of land former-
ly known as the "Habern tract", now owned by the Keystone Coal &
Iron Company, also adjoining a tract of land owned by your orator
and known as the Pea Vine Knob tract.

Your orator has purchased the undivided interests of the
said Martha Edens and Martha M., Letitia F., and Sarena Peters
in said 88 acre tract of land by deed dated _____, 1900,
and recorded in Lee county Deed Book No. 36, page 397, a copy of
which is herewith filed as a part hereof marked "Exhibit No. I.";

he is therefore the owner of an undivided one-eighth part thereof and three-elevenths of another undivided one-eighth, or an undivided seven-forty fourths of said 88 acre tract of land aforesaid.

The said Joseph Peters, Jr., (son of said decedent) claims to have purchased the undivided interests of Mary Terry, Rutha Collier, and Sarah Terrell in said tract of land, so that he is now the owner of an undivided one-half interest in the same. While there does not appear to be a deed recorded showing these sales, yet your orator is informed, believes, and therefore alleges that such is the case.

The said Kissiah Stanley and Nancy Lawson have never sold their interests so far as your orator is informed, and each are therefore the owners of an undivided one-eighth part therein.

The said James Peters claims to have purchased the undivided interests of Samuel Peters in said tract of land, and your orator alleges that this is true.

The said James Peters also claims to have purchased the interests of Betty Mosely, Sarah J. Hale, Nancy C. Gilliam and Joseph Peters (son of H. M. Peters) therein, but there are no deeds on record showing this.

The said Patrick and Robert Peters are each infants under twenty-one years of age, and each still own an undivided one-eleventh part of one-eighth of said tract of land.

The said Sarah Jane Hale, on or about the _____ day of _____ departed this life intestate, leaving her husband _____ Hale, and six infant children, whose names are not known, surviving her, to whom her interest in said tract of land descended if she had

not therefofore sold the same.

The said Rutha Collier since the death of her father, has likewise departed this life intestate, but as before stated, before her death she had sold and conveyed her interest in said land to her bother the said Joseph Peters, Jr.

If the said Joseph Peters, Sr., deceased, was indebted at the time of her death, said indebtedness has all been paid out of his personal estate and the rents and issues of his real estate since his death, so that there are no charges of any kind against the same.

Now the object of this bill is to have partition made of the said 88 acre tract of land among those entitled thereto; and your orator is advised that he is entitled to have his interest therein laid off and assigned to him adjoining his other lands if the same can be done without injury to the other parties interested .

The prayer therefore of your orator is that Joseph Peters, Jr., (son of Joseph Peters, Sr.), Nancy Lawson, Kissiah Stanley, James Peters, Betty Mosely, _____ Hale, the six infant children of Sarah Jane Hale, deceased, Joseph Peters (son of Henry M. Peters), Patrick Peters and Robert Peters, the two last named being also infants under the age of twenty-one years, be made parties defendant to this bill; that the Commonwealth's writ of subpoena may issue as to such of them as are adults; that the said adule defendants each be required to answer the said bill fully, but not under oath, as that is expressly waived; that the said Joseph Peters, Jr., be required to file such deeds or other evidence as he may have of his ownership of the interests

of the said Mary Terry, Rutha Collier and Sarah Terrell in said tract of land; that the said James Peters be required to file such evidence as he may have of his ownership of the interests of the said Smuel Peters, Betty Mosely, Sarah Jane Hale, deceased, Nancy C. Gilliam and Joseph Peters (son of Henry M. Peters) therein;

that a guardian ad litem be appointed to answer and defend for said infant defendants; that, on a hearing, commissioners be appointed to make partition of said land according to the respective interests of the parties therein; that, in making said partition, the said commissioners be directed to lay off and assign your corator's share adjoining his other lands, if, in their opinion, the same can be done without injury to the other parties interested; and that full general relief be granted, as to equity and good conscience may seem proper.

L. P. Hyatt, p. q.

Pliffs Costs

Clerk 839.00
 Tax 1.50
 Shff 7.00
 atty 15.00
 Comrs 13.00
 Chairmen 9.00
 County Clerk 3.00
 G.A.L. 5.00

Harvey Young

Joseph Peters et al.

Bill

L. F. Wyatt p.g.

1900. 2nd October Rules
 Bill filed Spa. & executed
 on adult Deft. & infants
 of S. A. L. filed D. N.
 1st Nov. rules taken
 the last Monday in
 October D. N. Confd.
 Cause set for hearing

88 156 88 (68 1/2)
 0 2 8 72
 0 0 5 36
 3 5 2 12
 4 6 6 10
 10.45-

Received
 of the
 County Clerk
 for the
 amount of

To The Hon.H.A.W.Skeen, Judge of the Circuit Court for Lee County.

The Answer of Joseph G.Peters, to a bill in chancery filed in this court by ^uHarvey Young against him and others. For answer thereto, or so much thereof as your respondent deems it advisable that he should answer, the said respondent answering says: That it is true that his father ~~M~~Joseph Peters died leaving the land in the bill mentioned to pass to his several children there mentioned, but said plaintiff is in error as to who^{is} now the owner of the several interests therein, in fact your respondent is the owner of Six full shares out of the eight and ⁶/₁₁ of the sh^ure which decended from Henry M.Peters. Yo^ur respondent is the owner of the following full shares in said land, viz., the shares of Mary Terry, Rutha Collier, Sarah Terrell, Nancy Lawson, Kissiah Stanley and his own; and he is the owner of the following fractional shares, viz; the share of James F.Peters, Sarah Hale, Nancy Gilliam, S.W.Peters, Joseph H.Peters. ^{and Edin about H. C. Massey} All of said whole shares mentioned above, excepting the share which decended to him, he acquired by deeds from the several parties above mentioned, and which are here filed as part of this answer marked "A1", "A2", "A3", "A4", "A5", and the fractional interests were aquired as follows, viz.; by deed bearing date the 8th day of April, 1898, the said Sarah Hale, Nancy Gilliam, S.W.Peters and Joseph Peters sold and conveyed their interest to their brother, the said James F.Peters, who on the 3rd day of Sept, 1900, conveyed the several interests which he had acquired as well as the interest which decended to him from his father ^{to him}, to your respondent by deed of said date, which said deeds as aforesaid your respondent here files as part of this answer marked "B 1" & "B2", and which are prayed to be taken as part of this ~~xxxx~~ answer.

Your respondent joins with the said plaintiff in asking for a partition of the said land, and as he owns lands adjoining the said lands, he asks that ^{that his 3/4 + 6/11 of 1/8} ~~the same~~ be laid off adjoining ^{his} ~~the~~ said lands if practicable. And having fully answered said bill your respondent prays that equity may be done between all the parties interested in said property. ^{& he will ever pray so}

Demington Massey
For Joseph G.Peters.

Joseph G. Peters
advs $\frac{3}{7}$ Museum
H. Young.

Filed in open Court
and by leave thereof
Novr the 14th 1900
A B Munsey Clerk

To the Honorable H.A.W.Skeen, Judge of the Circuit Court
for Lee County, Virginia:

The answer of Patrick Peters and Robert Peters and the six infant children of Sarah Jane Tale, deceased, all of whom are infants under the age of twenty-one years, by Geo.P.Cridling their guardian ad litem, assigned to defend them in this suit, to a bill in chancery exhibited against them and others in the Circuit Court of Lee County by Harvey Young.

Respondents reserving to themselves the benefit of all just exceptions to said bill, for answer thereto, or so much thereof as they are advised that it is material they should answer, by their said guardian ad litem, answer and say:

That they are infants of tender years, and by reason of their infancy are incapable of understanding, or of taking care of their rights and interests. They therefore, by their said guardian ad litem commend themselves and their rights and interests to the protection of the Court, and pray that no decree may be pronounced that will stand to their prejudice.

And now having fully answered, the said respondents pray to be hence dismissed with their reasonable costs in this behalf expended; and they will ever pray &c.

Geo. P. Cridling
Guardian ad litem

Sworn to before me, this the 17th day of October. 1900.

A.B. Munsey
Clerk of the Circuit Court of Lee

Harvey Young
vs { Answer of
Geo. P. Bridlie S. Atty.
Joseph Peters

Filed Oct 17th 1900
A. B. Munsey Clerk

Harvey Young

Plaintiff.

vs.

(In Chancery.)

Joseph G. Peters, Jr., Nancy Lawson, Kessiah Stanley, James Peters, Elizabeth Mosely, Joseph Peters (son of Henry M. Peters.) Patrick Peters, Robert Peters, Nancy C. Gilliam, the six infant children of Sarah Jane Hale, deceased, and _____ Hale.....Defendants.

On motion of the defendant, Joseph G. Peters, Jr., by his counsel, leave is granted him to file his separate answer, and the same is accordingly filed; and the plaintiff replied generally to the said answer.

Thereupon this cause came on to be heard upon the bill of the plaintiff and exhibits therewith, the answer of the said Joseph G. Peters, *and exhibits therewith* general replication thereto by the plaintiff, the answer of the infant defendants, Patrick Peters, Robert Peters and the six infant children of Sarah Jane Hale, deceased, by George P. Cridlin, their guardian ad litem, assigned to defend them in this suit, and general replication *thereto*, the cause regularly matured at rules, and set for hearing by the plaintiff as to all other defendants, and was argued by counsel. On consideration whereof, the court is of opinion that the plaintiff is the owner of an undivided one eighth interest in the tract of land in the bill mentioned, and three-elevenths of another eighth part; that the said Joseph G. Peters is the owner of an undivided six-eighths thereof, and six-elevenths of another eighth; and that the said Patrick and Robert Peters are each the owners of an undivided one-eleventh part of a one-eighth part thereof; and doth adjudge, order and decree that L. L. Elliott, V. S. Banner, and J. H. Duff, who are hereby appointed commissioners for the purpose, do as soon as practicable, go upon the said eighty

eight acre tract of land of which the said Joseph Peters, Sr., died
seized and possessed, *and partition the same accordingly* among the parties entitled, having due regard
to quantity, *wood* quality, waters, ways, &c., and in doing so they will
lay off and assign to the plaintiff, Harvey Young, his shares ad-
joining his other lands *if* the same can be done without injury to
the other parties; *†* they will lay off and assign to the said Joseph
G. Peters his shares adjoining his other lands if the same can be
done without injury to the other parties interested. The said
commissioners will report their action to a future term of this
court and will make and file with their report a plat, showing the
whole boundary and the portion assigned to each. And the
cause is continued.

Harvey Young
vs. { See Chy.

J. S. Peters et al.

Decree for Partition.

Entered in Chy C.B.
No 6, page 468.

Enter this decree

17th 1900.

H. A. W. O'Brien

Virginia

At a circuit court continued and held for
Lee County at the Court-house thereof on
Saturday November the 17th 1900.

Harvey Young Plaintiff

vs
Joseph G Peters Jr. et als Defendants } In Chanc.

III III III III III. On consideration whereof
the court is of opinion that the plaintiff is
the owner of an undivided one eighth interest
in the tract of land in the bill mentioned
and three elevenths of another eighth part: that
the said Joseph G Peters is the owner of an
undivided six eighths thereof and six ele-
venths of another eighth: and that the said
Patrick & Robert Peters are each the owner of
an undivided one eleventh part of one eighth
part thereof and doth adjudge order & decree that
C. C. Elliott, V. S. Banner and J. W. Duff who
are hereby appointed Commissioners for the
purpose do as soon as practicable go upon
the said Eighty eight acre tract of land which
the said Joseph Peters Sr. died seized and pos-
sessed and partition the same accordingly
among the parties entitled having due re-
gard to quality, quantity, waters, ways wood
&c and in doing so they will lay off and
assign to the Plaintiff Harvey Young his
shares adjoining his other lands if the same
can be done without injury to other parties
and they will lay off and assign to the

said Joseph G. Peters his shares adjoining
 his other lands if the same can be done
 without injury to the other parties inter-
 ested. The said Commissioners will re-
 port their action to a future term of this
 court and will make^{and} file with their
 report a plat showing the whole bound-
 ary and the portion assigned to each.
 And this cause is continued

A Copy

Teste: A.B. Munsey, Clerk

Havey Young
 vs Plat & Partition

Joseph G. Peters et al

Filed Feb'y 28th 1901

A.B. Munsey, Clerk

Court Costs
 L. L. Elliott 7.00
 J. N. Duff 4.00
 W. S. Banner 2.00
 J. L. Peters Chmn 3.00
 R. M. Young 3.00
 L. W. Peters Secy 3.00
22.00

To The Honorable H.A.W. Skewridge of the Circuit
Court of Lee County Va. In pursuant of an order
emanating from your Honors Court dated November
The 17th 1900. and in the cause styled

Harvey Young

Plaintiff

v.s.

Joseph B. Peters et. al. Defendants

} In Chancery.

We The undersigned Commissioner appointed by your
Honor To go upon the lands in the bill mentioned and
partition^{the} lands as directed by said order, proceeded
To comply with said Order on February 20th 1901.

We first surveyed The Tract of land and its Metes
and bounds is as follows. Beginning on a chest-
nut at figure one and index thence N 28 W 29 poles
to a Black Gum S 58 W 18 poles to a Stake N 39 W 4 poles
to a Locust. N 26 1/2 E 20 poles to a Chestnut oak in Habroo
line and with the same S 28 E 122 poles to a Double Chest-
nut and Chestnut oaks on top of Wallens Ridge. Thence
along the top of said ridge S 73 1/4 W 5 1/2 poles S 54 1/2 W
29 poles S 81 W 28 poles S 49 1/2 W 8 poles S 58 1/2 W 44 poles
S 37 W 20 poles to a Chestnut. S 47 1/2 E 140 poles to a large
White oak N 21 1/2 E 17 poles and 7 Links to a large Chest-
nut oaks. N 67 1/2 E 68 poles to the beginning containing
86 Acres. We layed of and assigned to Harvey

Young 14 acres adjoining his other lands and is
represented by the following figures and small letters
s. i. d. g. Beginning on a large White oak at 8. N 47 1/2 W 40
to a Chestnut at 7 on top of Wallens Ridge. Thence along the top

S 37 W 16 poles To a Stake a Hickory Chestnut and Walnut
marked as Pointers Thence leaving the top of said ridge
S 47 1/2 E 138 poles To a large Chestnut oak at 9 S 2 1/2 W 17 poles & 7 links
^{to the beginning}
We layed off and assigned to Patrick Peters the
lot designated by figure and letters 1. a. b. c. and containing
one acre. Beginning at figure one a chestnut the beginning
corner of the survey. Thence N 28 W 9 3/4 poles to a stake at
a. S 57 3/4 W 17 poles to b. S 28 W 9 1/2 poles to c. Thence N 67 1/2 E
17 poles to the Beginning We layed off and assigned
to Robert Peters the lot designated by the figure and
letters 9. c. b. Beginning on a large Chestnut oak at 9. and
with the original line N 67 1/2 E 51 poles to c. a corner of
the other lot and with a line of the N 28 E 9 1/2 poles to b.
S 57 3/4 W 51 poles to the Beginning containing 1 1/2 acres
We layed off and assigned to Joseph S. Peters
the lot represented by the figure and letters 2. 3. 4. 5.
6. d. 9. a. Beginning on a gum ^{at 2} in the Habron line
S 58 W 18 poles to a stake at b. N 39 W 4 poles to a Locust
at 4. N 26 1/2 E 20 poles to a Chestnut oak at 5. in ~~one~~ Habron
line N 29 E 122 poles to a Double Chestnut and Chestnut oak
of top of Wallens Ridge Thence along the top of same
S 73 1/4 W 5 1/4 poles S 54 1/2 W 26 poles S 81 W 28 poles S 47 1/2 W
8 poles S 58 1/2 W 114 poles S 37 W 3 poles to d. Thence leaving
the top of said ridge and ^{with} a line of Harvey Youngs
lot S 47 1/2 E 138 poles to a large Chestnut oak at 9.
N 57 3/4 E 68 poles with Patricks and Robert Peters line
to a. N 28 W 18 3/4 poles to the Beginning containing 69 3/4 ac.
See Plat for more definite description.

We allow a right of way along the north side
of Patrick and Roberts Peters lots 10 feet wide
if needed.

We fill a plat herewith making it a part of
our report all of which is respectfully submitted

L. L. Elliott }
V. S. Banner } Comr
J. N. Druff. }

Fees. J. N. Druff. Com. 2 days \$ 4.00
V. S. Banner Com 1 " 2.00 Paid by R. & P
R. M. Young Chain. 3 days 3.00 " " "
J. G. Peters Chain 3 " 3.00 paid by J. G. Peters
L. W. Peters Flagman 3 " 3.00 " " "
L. L. Elliott Surveyor. 7.00 " " " by R. & P
Total \$ 22.00
\$ 7.00 Recd of R. L. Pennington atty for J. G. Peters, \$ 7.00 may
look in the above petition. Moh. 21. 1901

L. L. Elliott

Harvey Young
Plat & Report
Joseph G. Peters
Filed February 25/90/
A B Munsey Clerk

Harvey Young

vs.

Joseph G. Peters et als.

This cause came again this day to be heard upon the papers formerly read in the cause, and the report and plat of partion of C.C. Elliott, V.S. Banner and J.N. Duff, Commissioners, filed of the 25th day of February, 1901, and was argued by counsel.

On consideration whereof, and said report and plat having been filed the time required by law and no exceptions having been filed thereto, it is adjudged, ordered and decreed that the said report and plat be and they are each hereby confirmed and approved; that, pursuant thereto the said plaintiff, Harvey Young, take and hold the 14-acre lot assigned to him by the said commissioners; that the said defendant, Joseph G. Peters, take and hold the 69-4/5 acres assigned to him by said commissioners; that the infant defendant, Patrick Peters, take and hold the 1-acre assigned to him by the said commissioner; and that the infant defendant, Robert Peters, take and hold the 1 1/2 acre lot assigned to him by said commissioners, each free from the claims of the others, and from all claims of the other parties to this suit, forever.

It is further adjudged ordered and decreed that the plaintiff, Harvey Young, pay 14/88 of the costs of this suit; that Joseph G. Peters pay 72/88 of the said costs; and that the said Patrick and Robert Peters each pay 1/88 of the said costs; and that executions may issue against each of them for his proportion of the said costs in favor of the Officers of the court. And said costs are adjudged to be a lien upon the said real estate.

It is further ordered that the clerk of this do deliver to the clerk of the county court for said county the decree appointing the said commissioners, the report and plat of said commissioners, and this decree, to be by the said county court clerk recording in the proper deed book, and whose fees for recording which shall be taxes as a part of the costs of this suit.

And the cause is stricken from the docket.

Harvey Young
vs { Lu Chy.
Joseph G. Peters, Jr.
et al.

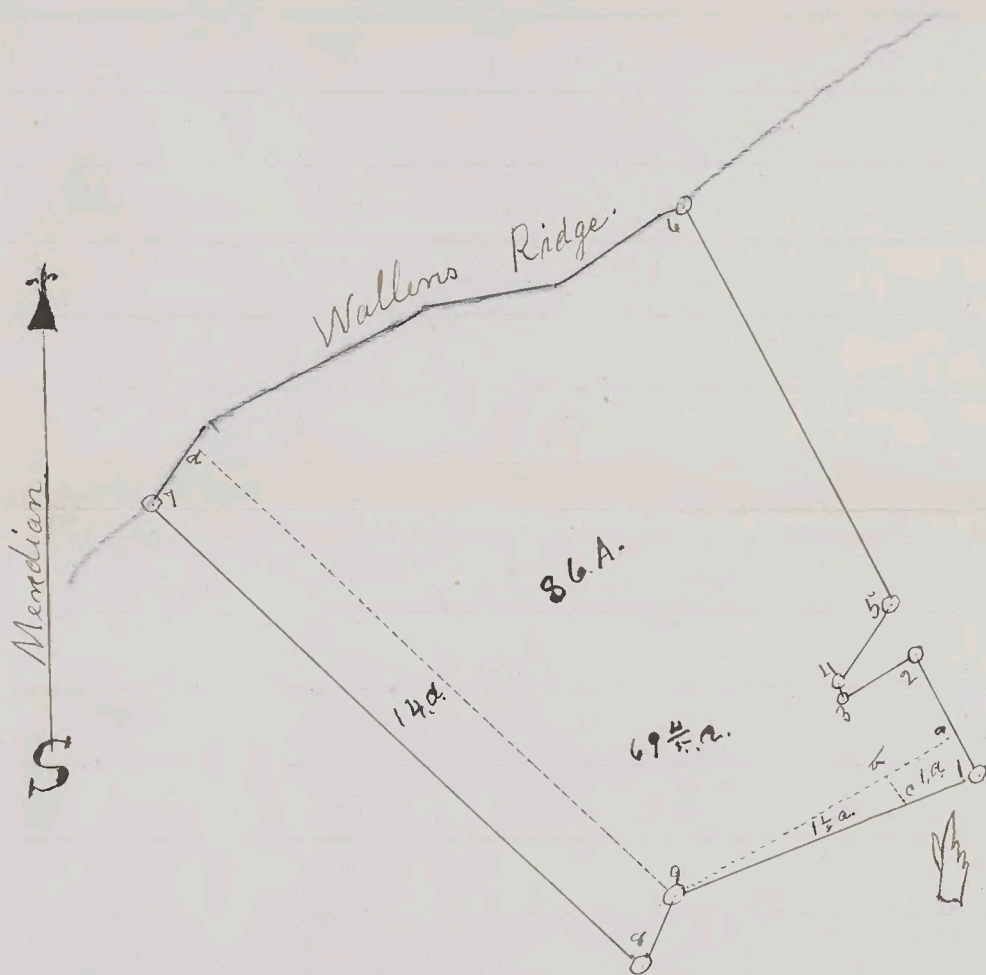
Decree confirming
report and plat of
partition & final.

Entered on C.O.B. Prob.
P. 578.

Recorded in D.B.
No. 37 page 296r.

Enter this decree
Hawshere
March 8th 1901

recording in the proper deed book, and whose fees for recording
missioners, and this decree, to be by the said county court clerk
pointing the said commissioners, the report and plat of said com-
the clerk of the county court for said county the decree ap-
It is further ordered that the clerk of this do deliver to



This Indenture made the 19th day of
September 1860 between David C.
Vicars & wife, of one part, and
Henry E. Perry of other part.

§ # # # # Containing $87\frac{3}{4}$
acres. — Beginning on a large
chestnut on Nabers's line North
33 West 128 poles to the top
of the ridge to a double chestnut
and small chestnut oak thence
a westwardly course along the
top of Waller's ridge 119 poles
to a chestnut oak, thence S. 50 E
125 poles to a large white oak,
thence North 19 E. 19 poles to a
chestnut oak, thence N. 65 E
64 poles to the Beginning. # #

Field Notes
of Peter Lane

This Indenture made the 29th day of Aprile in the year of our Lord one thousand eight hundred and sixty eight between Henry E. Terry and Mary Ann Terry, his wife, of the County of Lee State of Virginia, of the one part, and Joseph Peters of the County and State aforesaid, of the other part.

Witnesses that the said Henry E. Terry and Mary Ann his wife for and in consideration of the sum of three hundred and fifty one dollars, to them in hand paid, the recite whereof is hereby acknowledged, have granted bargened and seald unto the said Joseph Peters a certain tract or parcel of land liing and being in the said county on the South side of Wallen's Ridge containing eighty seven and three fourths acres, more or less, and bounded as follows, viz:- Beginning on a large chestnut on Habern's line North 33 West 26 poles to a gum, then Southwardly 16 poles to a maple North 45 West 4 poles to a locus, then North 19° E. 21 poles to a chestnut oak on Habern's line North 33 West to the top of the ridge to a double chestnut and small chestnut oak, then westadely along the top of Wallen's ridge 119 poles to a chestnut oke, then South 50 E. 10025 poles to a larg whiete oke thence 19 E. 19 poles to a chestnut oke, then North 65 E. 64 poles to the beginning with its apertainances tharunto belonging. To have and to hold the said tract or parcel of land to the sole use of the said Joseph Peters, his heirs and assigns forever. And the said

The Commonwealth of Virginia:

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU, that you summon Joseph Peters Jr (Son Joseph S. Peters deceased) Nancy Lawson, Missiah Stanley, James Peters, Elizabeth Mosely, Joseph Peters, (Son of Henry M Peters deceased, Patrick Peters, Robert Peters, Nancy Le Gilliam, the six infant Children of Sarah Jane Hale deceased, and Hale

to appear at the Clerk's Office of the Circuit Court of the County of Lee, at the rules to be held for the said Court on the 3rd Monday in October, 1900, to answer a bill in chancery, exhibited against them in our said court by

Harvey Young

And have then there this writ. Witness, A. B. MUNSEY, Clerk of our said Court, at the court-house, the 28th day of September 1900, and in the 125th year of the Commonwealth.

A. B. Munsey Clerk

Copies for Joseph
X Peters, Jr. *Patty Peters his Daughter*
X Nancy Lawson
X Kessiah Stanley
X Elizabeth Moreley
X Joseph Peters (H. M's son)
X Patrick Peters
X Robert Peters

Form No. 300.

Harvey Gamm

vs. }

SUBPOENA
IN
CHANCERY.

Joseph Peters Jr et als

L. T. Hyatt p. 9

To 2nd October Rules.

1900. Circuit Court.

Executed Oct 12th 1900 by deliver-
ing an attested office copy
of the within subpoena in chey
to Nancy Lawson Kessiah Stanley
Elizabeth Moreley Joseph Peters
Patrick Peters Robert Peters
and Joseph Peters Jr.

R. G. Lindsay Dept
for W. J. Mulham S.L.C.

The Commonwealth of Virginia,

Seeth

To the Sheriff of the County of ~~Lee~~, Greeting:

WE COMMAND YOU, That you summon Joseph Peters Jr (son of Joseph G. Peters deceased) Nancy Lawson, Missiah Stanley, James Peters, Elizabeth Mosely, Joseph Peters (son of Henry M. Peters deceased) and the six infant children of Sarah Jane Hales Patrick Peters, Robert Peters and Nancy Williams Hales deceased to appear at the Clerk's office of the Circuit Court of the County of Lee, at the rules to be held for the said court, on the 3rd Monday in October 1900, to answer a bill in chancery exhibited against them in our said court by Harvey Young

And have then there this writ. Witness, A. B. MUNSEY, Clerk of our said Court, at the court-house, the 28th day of September 1900, and in the 125th year of the Commonwealth.

A. B. Munsey Clerk

Harvey Young
 US. { SUBPOENA
 IN CHANCERY

Joseph Peters Jr et als

L. T. Hyatt p. q.

To 2nd October Rules.

Circuit Court.

in part
 Executed, by delivering
 a true copy of the
 within to James
 Peters Oct 9 1900
 J. W. Wrensbury for
 B. B. Broadwater S. G. C.

in part
 Executed by delivering a true copy
 of the to David Hale & Nancy
 Gilliam Oct 6 - 1900
 J. W. Wrensbury for B. B. Broadwater S. G. C.

Copies for
 James Peters
 Duffield, Va
 Nancy Gilliam
 near Duffield
 — Hale
 near Clinchport